

SINGLE BENCH

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IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

W.P. (s) No. 866/2007

PETITIONERS:

P.R. No. 1056/07
Presented by Shri. Sunil Jain
dated 6/2/07

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1. Smt. Rajnigandha Pathak
Aged about 42 years
W/O Shri P.K.Pathak
R/O SE 587, CSEB Colony, Korba
District Korba
(Chhattisgarh)
2. Smt. Prabhavati Pandey
Aged About 51 years, W/O Shri
Bhola Prasad Pandey, R/O Prem
Nagar Rajgamarg, Distt.
Korba (CG)
Hemlata Sharma
Aged About 45 years, D/O
Shri K.P.Sharma, R/O Q.No. F-
3, Distt Hospital Colony
Korba, Distt Korba (CG)
4. Smt. Sukhmani Lakda
Aged About 47 years, W/O
Shri Avishay Lakda, R/O Q.No.
M 43, Rajgamarg Colony, Korba,
Distt Korba (CG)
5. Mahasingh Jagat
Aged About 40 years, S/O
Shri R.S.Jagat, R/O Asst.
Teacher, Govt. Middle School
Bodri, Block Bilha, Distt
Bilaspur (CG)
6. Jeevan Singh Kshatriya
Aged About 47 years, S/O
Shri Goutam Singh, R/O Assit.
Teacher, Govt. Girls Primary
School, Padiyain, Block
Patharia, Distt Bilaspur (CG)
7. Punaram Sahu

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Aged About 40 years, S/O
Shri Itwari Ram Sahu, R/O
Post Souda, Block Patharia,
Distt Bilaspur (CG)

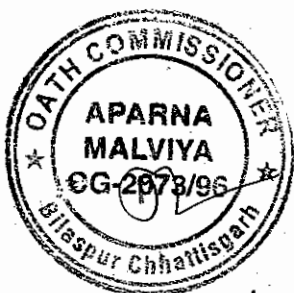
8. Gopal Prasad Sao
Aged About 43 years, S/O
Shri J.R.Sao, R/O DM/24,
Ompur Colony, Rajgamar Distt
Korba (CG)

9. Gopal Singh Patel
Aged About 41 years, S/O
Shri D.D. Patel, R/O Q.No.
M/783, Ompur Colony, Rajgamar
Distt Korba (CG)

10. Vijaya Kumar Sharma
Aged about 45 Years, S/O Shri
S.L.Sharma, R/O Q.No. DM/83,
Ompur Colony, Rajgamar,
Distt. Korba, (CG)

11. Sunil Kumar Tiwari
Aged About 42 years, S/O
Shri R.K.Tiwari, R/O Village
Bahera, Post Mohtara, Tahsil
Bemetara, Distt Durg (CG)

12. Smt Kiranlata Sharma
Aged About 39 years, W/O
Shri K.V.Sharma, R/O
Assistant Teacher, Govt.
Primary School Awarind, Block
Navagarh, Distt Janjgeer-
Champa (CG)



VERSUS

RESPONDENTS:

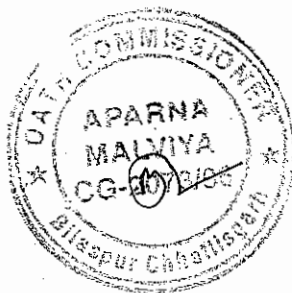
1. State of Chhattisgarh
Through the Secretary
Department of School
Education, D.K.S. Bhawan
Mantralaya

(4)

(11)

Raipur (Chhattisgarh)

2. The Assistant Commissioner,
Tribal Department Bilaspur
District Bilaspur (CG)
3. The Assistant Commissioner,
Tribal Department Korba
District Korba (CG)
4. District Education Officer
Bilaspur District
Bilaspur (CG)
5. District Education Officer
Durg District Durg (CG)
6. District Education Officer
Korba District Korba (CG)
7. District Education Officer
Janjgeer-Champa District
Janjgeer-Champa (CG)
8. The Director of Public
Instruction, Pension Bada,
Raipur, (CG)



WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF
INDIA OF ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND
CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:

1. PARTICULARS OF

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HIGH COURT OF CHHATTISGARH AT BILASPUR
W. P. (S) No. 866 of 2007

Petitioners : Smt. Rajnigandha Pathak and others

Versus

Respondents : State of Chhattisgarh & others

Single Bench: Hon'ble Mr. Justice Satish K. Agnihotri.

Ms. Sunita Jain, Advocate for the Petitioners.

Ms. Deepali Pandey, Panel lawyer for the State/respondents.

ORDER

(Passed on this 13th day of February, 2007)

- 1. The petitioners are working as Assistant Teachers/Lecturers in the government school. In the course of their services as Assistant Teachers/Lecturers, the petitioners have obtained B.Ed. Examination Certificates on their own expenses before 1.3.1999.**
- 2. Learned counsel appearing for the petitioners submits that the question involved, herein asto whether the teachers, who obtained B.Ed. Examination Certificates on their own expenses, are entitled to two advance increments.**
- 3. According to learned counsel for the petitioners, the petitioners are entitled to two advance increments in view of the decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}. This Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), came to the conclusion that the teachers,**



who had obtained B. Ed. /B.T.I. Examination Certificate on their own expenses, are covered by the circular dated 24.12.98 (Annexure P/T) issued by the State Government of Madhya Pradesh.

4. Learned counsel for the petitioners further submits that the facts and question of law involved in the present case are squarely covered by decision of this Court in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), to which learned counsel appearing for the respondents fairly concedes and agrees with the averment made by learned counsel appearing for the petitioners.
5. Accordingly, the writ petition is allowed in terms of the order passed in the case of Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another (Supra), subject to verification of the fact as to whether the petitioners have acquired B. Ed. Examination Certificates on their own expenses as per the circulars dated 24.12.1998 & 1.3.1999 and further whether they have been paid two advance increments or not. No order as to costs.

Bablu

Sd/-
Satish K. Agnihotri
Judge